

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Motor Vehicle Pollution Control Devices

Article 1. General Provisions

§ 1905. Exclusion and Exemption of Military Tactical Vehicles and Equipment.

(a) For purposes of this chapter, military tactical vehicle means a motor vehicle owned by the U.S. Department of Defense and/or the U.S. military services and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.

(b) This chapter shall not apply to vehicles defined as military tactical vehicles or to engines used in military tactical vehicles. This includes all vehicles and engines:

(1) Excluded from regulation under 40 CFR Part 85, subpart R, section 85.1703, and

(2) Exempted from regulations under the federal national security exemption, 40 CFR, subpart R, sections 85.1702(a)(2), 85.1704(b), 85.1708, and 85.1710. It shall also not apply to those motor vehicles or motor vehicle engines covered by the definition of military tactical vehicle, including commercially available vehicles, for which a federal certificate of conformity has been issued under 40 CFR Part 86.

(c) On January 1, 1997, the U.S. Department of Defense shall submit to the ARB a list of all vehicle types that are excluded **and or** exempted under the above provisions and which are located in the State of California. If any additional vehicle types are added to the list during the previous 12 months, the U.S. Department of Defense shall update the list and submit it to the ARB by January 1 of the following year.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: Sections 43013 and 43018, Health and Safety Code.

REFERENCE